

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 16173

PERMIT 10371

LICENSE 10989

ORDER CORRECTING THE PURPOSE OF USE

WHEREAS:

1. License 10989 was issued to Tuolumne County Water District No. 2 and was recorded with the County Recorder of Tuolumne County on Volume 607, Page 251 on April 29, 1980.
2. License 10989 was subsequently assigned to Tuolumne Regional Water District.
3. An inspection was made on August 10, 1982 and it was determined that the description of the purpose of use should be corrected. It was also determined that the term included in License 11576 should be added to License 10989. This correction and the term are needed to make License 10989 conform to License 11576 which covers the same system.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purpose of use under License 10989 be described as follows:

For the purpose of Standby Emergency Domestic Use

2. The following term is added to the license:

This license is assigned solely for standby emergency domestic use and will be in effect only upon the continuous maintenance of the standby diversion system and facilities.

Dated: **SEPTEMBER 26 1984**

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 16173

PERMIT 10371

LICENSE 10989

THIS IS TO CERTIFY, That

TUOLUMNE COUNTY WATER DISTRICT NUMBER 2
P. O. BOX 728, SONORA, CALIFORNIA 95370

(over)

HAS made proof as of JUNE 18, 1974 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
AN UNNAMED SPRING IN TUOLUMNE COUNTY

tributary to SUGARPINE CREEK THENCE NORTH FORK TUOLUMNE RIVER

for the purpose of DOMESTIC USE

under Permit 10371 of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from DECEMBER 7, 1954 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed TWENTY-SEVEN THOUSANDTHS (0.027) CUBIC FOOT PER SECOND,
TO BE DIVERTED FROM MAY 1 TO DECEMBER 31 OF EACH YEAR. THE MAXIMUM ANNUAL
DIVERSION FROM THIS SOURCE SHALL NOT EXCEED 9.1 ACRE-FEET.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 83°10' EAST 1,280 FEET FROM W1/4 CORNER OF SECTION 30, T3N, R17E, MDB&M,
BEING WITHIN NW1/4 OF SW1/4 OF SAID SECTION 30.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

PEACEFUL PINES SUBDIVISION WITHIN SW1/4 OF NW1/4 AND NW1/4 OF SW1/4 OF SECTION 30
T3N, R17E, MDB&M.

NO WATER SHALL BE DIVERTED UNDER THIS LICENSE DURING THE PERIOD APRIL 1 TO
JUNE 30 UNLESS THE FLOW IN SUGARPINE CREEK IMMEDIATELY BELOW THE POINT OF DIVERSION
FOR LICENSE 6249 (APPLICATION 16170) EXCEEDS 0.20 CUBIC FOOT PER SECOND.

-46-84 Name Chap to Tuleumne Regional Water Dist
-17-93 Esq to Tuleumne Utilities District;

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code); or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated:

APRIL 23 1980

STATE WATER RESOURCES CONTROL BOARD

Walter S. Petter
Chief, Division of Water Rights